

1 ROBERT W. FREEMAN, ESQ.  
Nevada Bar No. 03062  
2 E-Mail: [Robert.Freeman@lewisbrisbois.com](mailto:Robert.Freeman@lewisbrisbois.com)  
PRISCILLA L. O'BRIANT, ESQ.  
3 Nevada Bar No. 10171  
E-Mail: [Priscilla.Obriant@lewisbrisbois.com](mailto:Priscilla.Obriant@lewisbrisbois.com)  
4 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
6385 S. Rainbow Blvd., Suite 600  
5 Las Vegas, NV 89118  
TEL.: 702-893-3383  
6 FAX: 702-893-3789  
*Attorneys for Plaintiff*  
7 Universal North America Insurance Company

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNIVERSAL NORTH AMERICA  
11 INSURANCE COMPANY, a Texas  
corporation,

12 Plaintiff,

13 vs.

14 Wendy Colosi, an individual; Victor Colosi, an  
15 individual; Nicholas Colosi, an individual;  
16 Marilyn Kennedy, an individual; DOES 1-20  
and ROE CORPORATIONS 1 - 20, inclusive,

17 Defendants.

CASE NO.: 2:17-cv-00113

**STIPULATION AND ORDER TO EXTEND  
DEADLINE FOR PLAINTIFF TO RESPOND TO THE  
COLOSI DEFENDANTS' RESPONSE TO MOTION  
FOR SUMMARY JUDGMENT AND  
COUNTERMOTION FOR (1) PARTIAL SUMMARY  
JUDGMENT CONCERNING DUTY TO DEFEND  
AND (2) TO STAY MATTER PENDING  
CONCLUSION OF UNDERLYING CASE {DKT 38  
AND 39} AND THE COLOSI DEFENDANTS'  
MOTION TO STRIKE/OBJECTION TO ANY  
REFERENCE TO JUVENILE COURT  
PROCEEDINGS [DKT 40]**

**(FIRST REQUEST)**

18  
19 Pursuant to LR 6-1, Plaintiff Universal North America Insurance Company ("Universal")  
20 and Defendant Marilyn Kennedy ("Kennedy"), by and through their respective counsel of record,  
21 respectfully submit the following stipulation requesting a ten (10) day extension for Universal to  
22 file a Reply to *The Colosi Defendants' Response to Motion for Summary Judgment* [Dkt 38]  
23 ("Response"); *The Colosi Defendants' Countermotion for (1) Partial Summary Judgment*  
24 *Concerning Duty to Defend and (2) to Stay Matter Pending Conclusion of Underlying Case* [Dkt  
25 39] ("Countermotion") and *The Colosi Defendants' Motion to Strike/Objection to Any Reference*  
26 *to Juvenile Court Proceedings* [Dkt 40] ("Motion"). Universal's *Motion for Summary Judgment*  
27 *on All Claims* [dkt. 30] was filed on August 15, 2017 and the *Response*, *Countermotion* and  
28 *Motion* were filed on September 15, 2017. Universal's Reply to the *Response* [dkt 38] and *Motion*

[dkt 40] currently due on September 29 will now be due October 9, 2017. Universal's Response to the *Countermotion* [dkt 39] currently due October 6, 2017 will now be due October 16, 2017. In support of this Stipulation, the parties state as follows:

**A. Introduction**

Universal insured Defendants Wendy, Victor and Nicholas Colosi (the "Colosi Defendants"), who are also defendants in a personal injury action filed by Kennedy. Universal filed this declaratory relief action seeking a declaration regarding its duties and obligations to the Colosi Defendants with respect to the lawsuit against them filed by Kennedy.

**B. Reason for Extension**

The parties believe that a ten (10) day extension of the deadline to respond to the above is necessary and appropriate to provide sufficient time for Universal to adequately respond. Universal's counsel requested the extension since she was on vacation when the *Response, Motion* and *Countermotion* were filed, which adversely interfered with Universal's opportunity to complete its Reply and Responses in a timely matter. Universal and the Colosi Defendants believe that good cause is demonstrated and both agreed to a ten (10) day extension of the deadline(s) to respond.

Dated this 26th day of September, 2017

Dated this 26th day of September, 2017

**Attorneys for Defendants Wendy Colosi,  
Victor Colosi and Nicholas Colosi**

**Attorneys for Universal**

/s/ James W. Whitmire

/s/ Priscilla L. O'Briant

James W. Whitmire, Esq.  
Nevada Bar No. 6533  
Santoro Whitmire  
10100 W. Charleston Blvd., Ste. 250  
Las Vegas, Nevada 89135

Priscilla O'Briant, Esq.  
Nevada Bar No. 10171  
Lewis Brisbois Bisgaard & Smith  
6385 S. Rainbow Blvd., Ste. 600  
Las Vegas, Nevada 89118

IT IS SO ORDERED this 26th day of September, 2017.

  
UNITED STATES DISTRICT JUDGE